

(M. Buckley)

WI

United States District Court

Eastern

DISTRICT OF Michigan

JUN 04 2008

CLERK'S OFFICE
DETROIT

CRIMINAL COMPLAINT

UNITED STATES OF AMERICA

V.

Vincent SMOTHERS

CASE NUMBER:

08-30258

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about May 24th 2007 in Wayne County, in the Eastern District of Michigan defendant(s) did, (Track Statutory Language of Offense)

knowingly and unlawfully possessed a firearm after having been previously convicted of at least one crime punishable by imprisonment for a term exceeding one year, (felony offense)

in violation of Title 18 United States Code, 922 (g)

I further state that I am a(n) DEA Special Agent and that this complaint is based on the following facts:

Official Title

facts:

(See attached affidavit)

Continued on the attached sheet and made a part

☒ Yes ☐ No

Emily Dumas S/A
Signature of Complainant

Sworn to before me, and subscribed in my presence,

June 4, 2008
Date

at Detroit, Michigan
City and State

Stevn D. Pepe U.S. Magistrate Judge
Name and Title of Judicial Officer

Stevn D. Pepe
Signature of Judicial

AFFIDAVIT

The affiant, Edward Donovan, being duly sworn, deposes and states as follows:

1. Your affiant is currently employed as a Special Agent (S/A) with the Department of Justice, Drug Enforcement Administration (DEA) and has been so employed for the past 10 years. Prior to employment with the DEA, your affiant spent 6 years as a Police Officer in Illinois. During my tenure in Detroit, I have been assigned to a Homicide Task Force which, consist of officers from the Detroit Police Department Homicide Division, Officers from the Michigan State Police Investigative Division and of Agents from the Detroit DEA Office. The primary focus of this task force is to investigate homicides in Metropolitan Detroit that are related to drug activity, drug trafficking or which are orchestrated by individuals and or organizations involved in drug trafficking or related offenses such as money laundering. As previously stated, your affiant has been assigned to the homicide task force since May, 1999, and has participated in numerous drug related homicide investigations. During the course of these investigations, your affiant has taken part in all aspects of the investigations to include but not limited to post Miranda suspect interviews. Based on experience and training your affiant is well versed in conducting narcotics investigations as well as crimes of violence to include narcotic related homicides
2. This affidavit is being submitted in furtherance of an ongoing criminal investigation. It is based upon my own personal knowledge, my review of law enforcement reports and my discussions with other law enforcement agents, with witnesses and with confidential sources. The information contained in this affidavit does not describe the entirety of this investigation, but sets forth only those facts relevant and necessary to determining probable cause.
3. On May 24th, 2007, your affiant, Agents and Officers of the DEA/DPD/MSP Homicide Task Force responded to the 5900 block of Jos Campau, Detroit, Michigan, to investigate the fatal shootings of Johnny MARSHALL and Marshall WHITE. According to eye-witnesses and evidence obtained from the preliminary crime scene, agents and officers determined that one black male approached WHITE and MARSHALL and began shooting a firearm striking WHITE and MARSHALL multiple times. The black male subsequently fled on foot. Autopsies conducted by the Wayne County Medical Examiner later revealed that Marshall WHITE and Johnny MARSHALL died from multiple gun shot wounds to the head and torso.
4. As part of this investigation your affiant learned that on April 25, 2007, approximately one month prior to the murders of WHITE and MARSHALL, agents from the Arizona Department of Public Safety Counter Narcotics Alliance (CNA) seized approximately \$1.4 million in United States Currency from a residence in

Tucson, Arizona. Furthermore, Investigators developed evidence that the money was transported from Detroit, Michigan, to Tucson, Arizona on a charter bus that was driven by Marshall WHITE and Johnny MARSHALL. Additionally, on April 25, 2007, during a post Miranda statement WHITE and MARSHALL admitted to investigators that they transported the money from Detroit, Michigan, to Tucson, Arizona.

5. On April 20, 2008, Vincent SMOTHERS was interviewed regarding his involvement in the fatal shootings of Johnny MARSHALL and Marshal WHITE. After waiving his Miranda warnings, SMOTHERS admitted that he was contracted to kill Johnny MARSHALL and Marshall WHITE and that on May 24, 2007, he shot both MARSHALL and WHITE multiple times. Furthermore, SMOTHERS admitted that on May 24, 2007, he was in possession two semi-automatic handguns and that he used both firearms to kill MARSHALL and WHITE.
6. Your affiant knows that on May 24, 2007, Detroit Police Department Evidence Technicians recovered 14 shell casings at the initial crime scene. A forensic analysis of the shell casings and of the bullets removed from the victims revealed that more than one weapon was utilized to kill MARSHALL and WHITE.
7. A record check conducted through the Law Enforcement Information Network (LEIN) revealed that on December 20, 2002, in the 6th Circuit Court of Michigan, Vincent SMOTHERS pled guilty to carrying a concealed weapon, which is a crime punishable by imprisonment for a term exceeding one year, a felony in the State of Michigan.
8. Based on the aforementioned and based on your affiant's experience and training, your affiant believes that there is probable cause to believe that on or about May 24, 2007, in the Eastern District of Michigan, Southern Division, Vincent SMOTHERS having been previously convicted of at least one crime punishable by imprisonment for a term exceeding one year (felony offense), did knowingly possess a firearm, a violation of Title 18 U.S.C. 922(g).

Special Agent Edward Donovan
U.S. Drug Enforcement Administration



Subscribed and sworn to before me
this 04th day of June 2008.



Steven D. Pepe
United States Magistrate Judge